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*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**  
**MEDFORD DIVISION**

**BLUE MOUNTAINS BIODIVERSITY  
PROJECT,**

an Oregon nonprofit corporation,

Plaintiff,

v.

**HOMER WILKES**, Under Secretary for  
Natural Resources and Environment, United  
States Department of Agriculture, in his  
official capacity, et al.,

Defendants.

Case No. 1:22-cv-01500-CL

**NOTICE OF SUPPLEMENTAL  
AUTHORITY**

Plaintiff hereby submits a Federal Register Notice, 85 Fed. Reg. 77142–44 (Dec. 1, 2020), as supplemental authority that it may use and rely upon during the oral argument in this matter scheduled for Tuesday, March 28<sup>th</sup> at 2:00PM. Attorneys for Plaintiff apologize that this was not included in Plaintiff’s Response to Defendant’s Motion to Dismiss, ECF No. 30. The notice in question only recently came to our attention.

Dated: March 27, 2023

s/Thomas Buchele

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